

**IN THE ELEVENTH JUDICIAL CIRCUIT COURT  
MIAMI-DADE COUNTY, FLORIDA**

GARY BRECKA, and  
CICELY SAGE WORKINGER,

Plaintiffs,

v.

Case No.

ELENA CARDONE,

Defendant.

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**COMPLAINT**

Plaintiffs Gary Brecka (“Brecka”) and Cicely Sage Workinger (“Workinger”), by and through undersigned counsel, sue Defendant Elena Cardone (“Mrs. Cardone”) and allege as follows:

**INTRODUCTION**

Gary Brecka and Sage Workinger co-founded and, for a time, enjoyed a fruitful relationship with 10X Health Ventures LLC (“10X Health”). As Brecka’s star rose, 10X Health sought to collar the driving force of its brand and the relationship soured, culminating in 10X Health’s terminations of Brecka and Workinger. In the wake of his termination, Brecka publicly framed the separation as an amicable parting of ways to assuage 10X Health’s clients and patients, and to preserve what little good will remained between him and the company he and his wife, Workinger, co-founded. This evidently struck a nerve with Elena Cardone, the wife of 10X Health co-founder and majority shareholder Grant Cardone. Mrs. Cardone decided to stoke the flames. She took to social media to besmirch Brecka and Workinger. First, she posted an old video of Brecka coaching Sean Combs through breath work—trying to impugn Brecka as a result of Combs

recently being shoved into the national spotlight following an incendiary indictment for an alleged criminal conspiracy involving, among a myriad of other nefarious things, sex trafficking—with the express purpose of communicating the false message that Brecka is toxic and, worse, a deviant criminal. She then privately threatened Sage and, without provocation, left a vicious comment on Brecka’s Instagram account, replete with material and disparaging falsehoods. Now, Brecka and Workinger sue Mrs. Cardone for defamation.

### **JURISDICTION AND VENUE**

1. This is a civil action for injunctive relief and damages that exceed \$50,000.00, exclusive of interest, attorney’s fees, and costs.
2. Jurisdiction and venue are proper in Miami-Dade County, Florida, as the causes of action herein accrued in Miami-Dade County, Florida.
3. Mrs. Cardone is subject to personal jurisdiction in Florida because she committed tortious acts in the state by publishing defamatory statements that were accessed and read by Florida residents and that caused injury to Brecka and Workinger in Florida. *See Fla. Stat. § 48.193(1)(a)(2).*

### **PARTIES**

4. Plaintiff Gary Brecka is an individual who resides in Miami-Dade County, Florida, and is otherwise *sui juris*.
5. Plaintiff Cicely Sage Workinger is an individual who resides in Miami-Dade County, Florida, and is otherwise *sui juris*.
6. Defendant Elena Cardone is an individual who resides in Florida and is otherwise *sui juris*.

## FACTS

### **I. Brecka and Workinger's Background and Relationship With 10X Health.**

7. Brecka is a renowned human biologist, “biohacker,” and longevity expert with over two decades of experience in analyzing human biomarkers, including as a mortality-modeling expert in the insurance industry.

8. Upon exiting the insurance industry, Brecka embarked on a mission to improve lives through health optimization, and in 2017 partnered with Workinger, now his wife and longtime business partner, to start their own small business, the health and wellness companies Streamline Medical Group Naples and Streamline Wellness (collectively, “Streamline”).

9. After Brecka and Workinger grew Streamline to profitability and national notoriety, they were approached by Cardone Ventures, LLC (“Cardone Ventures”), a business consulting and investment firm founded by Grant Cardone (“Mr. Cardone”) and Brandon Dawson, to start 10X Health by merging Streamline into the company.

10. In September of 2021, 10X Health Ventures was formed and acquired Streamline, and Brecka and Workinger became co-founders of the company 10X Health and were engaged through separate consulting agreements to help build 10X Health.

11. In October of 2023, Brecka launched The Ultimate Human Podcast with Gary Brecka (the “Podcast”). The Podcast, carved out from his services contract with 10X Health, provided Brecka with an additional platform to address health and wellness topics he was passionate about, including but not limited to services offered in partnership with 10X Health.

12. Thanks to the immediate success of the Podcast and Brecka’s other public appearances, 10X Health exploded in popularity and profits.

13. Brecka became the leading referral source for 10X Health, and his leads comprised the majority of the profits for 10X Health.

14. As 10X Health grew off the back of Brecka's successes, the majority owner, Cardone Ventures, shifted the focus of 10X Health from its patients and clients to solely profits.

15. Not only did Brecka fundamentally disagree with 10X Health's philosophical shift, he also was a victim of it, as 10X Health time and again bristled at paying him his fair share of the company's record revenues.

16. Over the next year, 10X Health further sullied its relationship with Brecka.

17. First, Cardone Ventures clandestinely acquired an interest in REVIV Global Ltd. ("REVIV"), an international IV-drip therapy and genetic testing company, and tried to force Brecka and Workinger to promote REVIV products through 10X Health. The new REVIV-based products proved expensive and unworkable, and resulted in dramatic and unnecessary costs to 10X Health's clients and patients, frustrating Brecka, Workinger, and 10X Health's clients and patients.

18. Then, in April of 2024, 10X Health ambushed Brecka and Workinger with an attempted corporate restructuring, pressuring them to sign unfavorable conversion documents on an unreasonably tight timeframe. Brecka and Workinger refused.

19. Subsequent negotiations to resolve the parties' disputes proved fruitless.

20. Mr. Cardone propositioned Brecka to make an offer to buy out Cardone Ventures' interest in 10X Health but, after spending months formulating a term sheet to acquire Cardone Ventures' interest for cash, Cardone Ventures summarily rejected the offer.

21. Brecka decided to resign, and on the morning of November 5, 2024, notified the president of 10X Health. But 10X Health caught wind of Brecka's plan and raced to terminate him and Workinger first in order to control the narrative and tarnish their reputations.

22. Later that day, on November 5, 2024, 10X Health sent Brecka and Workinger Termination Notices, terminating Workinger and purporting to terminate Brecka for cause.<sup>1</sup>

## **II. Elena Cardone’s Defamatory Instagram Post.**

23. On November 25, 2024, Brecka made a joint post with Workinger on his Instagram account reflecting on his and Workinger’s journey from starting Streamline to the present, informing the public of his departure from 10X Health, and expressing his thanks and gratitude to 10X Health and his fans. Brecka also took the opportunity to highlight his support for the employees and caregivers of 10X Health. Finally, he emphasized that the patients and clients of 10X Health “remain in excellent hands,” referring to the team at 10X Health as “the most compassionate care givers in the space.” (the “Brecka Post”).

24. In response to the heartfelt Brecka Post, Mrs. Cardone posted to her over 688,000 followers on her Instagram account, @elenacardone, an old video clip of Brecka and Sean Combs, a prior 10X Health client, with the caption “boy bye!” (the “Instagram Post”).

25. As background, in September of 2024, the United States Attorney’s Office for the Southern District of New York unsealed an indictment charging music mogul Sean Combs, aka “Puff Daddy,” “P. Diddy,” and “Diddy,” with federal criminal offenses, including racketeering conspiracy, sex trafficking, and transportation to engage in prostitution, based on conduct dating back to 2008.<sup>2</sup>

26. Mr. Combs’ arrest and indictment was a major news event, prominently featured by news media outlets and publications around the United States and worldwide.

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<sup>1</sup> Brecka and Workinger are plaintiffs in a concurrent lawsuit filed in Miami-Dade County Circuit Court against Cardone Ventures, 10X Health, and others.

<sup>2</sup> See Press Release, U.S. Attorney’s Office Southern District of New York, Sean Combs Charged in Manhattan Federal Court With Sex Trafficking And Other Federal Offenses, <https://www.justice.gov/usao-sdny/pr/sean-combs-charged-manhattan-federal-court-sex-trafficking-and-other-federal-offenses> (Sep. 17, 2024).

27. Mrs. Cardone published the Instagram Post to create the false impression that, among other things, Brecka and Mr. Combs had more than a professional relationship, and that Brecka was in some way involved with or participated in the conduct underlying Mr. Combs' recent criminal racketeering charges.

28. Brecka's relationship with Mr. Combs was limited to interactions with Mr. Combs as a client of 10X Health.

29. Mrs. Cardone knew that her intended meaning for the Instagram Post was false and/or in reckless disregard of the truth.

30. Mrs. Cardone posted the Instagram Post with the express purpose of injuring Brecka's post-10X Health career and/or to subject him to hatred, distrust, ridicule, contempt, or disgrace.

31. Workinger commented on the Instagram Post, stating that it was a "classless jab . . . to post this and make people question us." She clarified that she and Brecka had "no connections to [Mr. Combs] beyond helping him for a short time on his health journey with 10X Health."

32. Rather than deny the malicious purpose for the Instagram Post, Mrs. Cardone cheekily replied to Workinger:



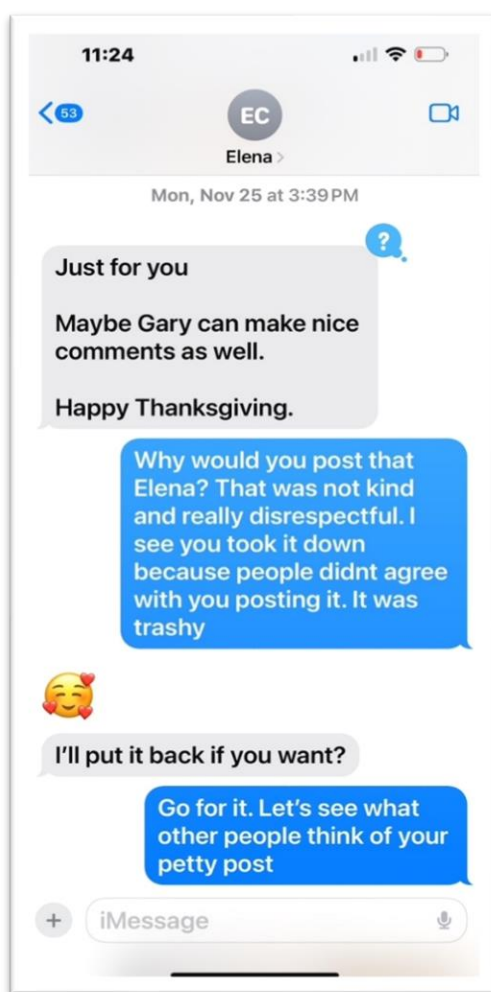
33. If the Instagram Post was not explicit enough in its meaning, one commentor explained the thought process Mrs. Cardone intended to evoke:



34. Other commenters who understood the false and disparaging message behind Mrs. Cardone’s post responded, calling it “tone deaf,” “unbecoming,” and “classless.”

35. Mrs. Cardone proceeded to delete the Instagram Post.

36. Later that day, Workinger privately reached out to Mrs. Cardone regarding the Instagram Post and was met with open hostility, further cementing its malicious purpose:

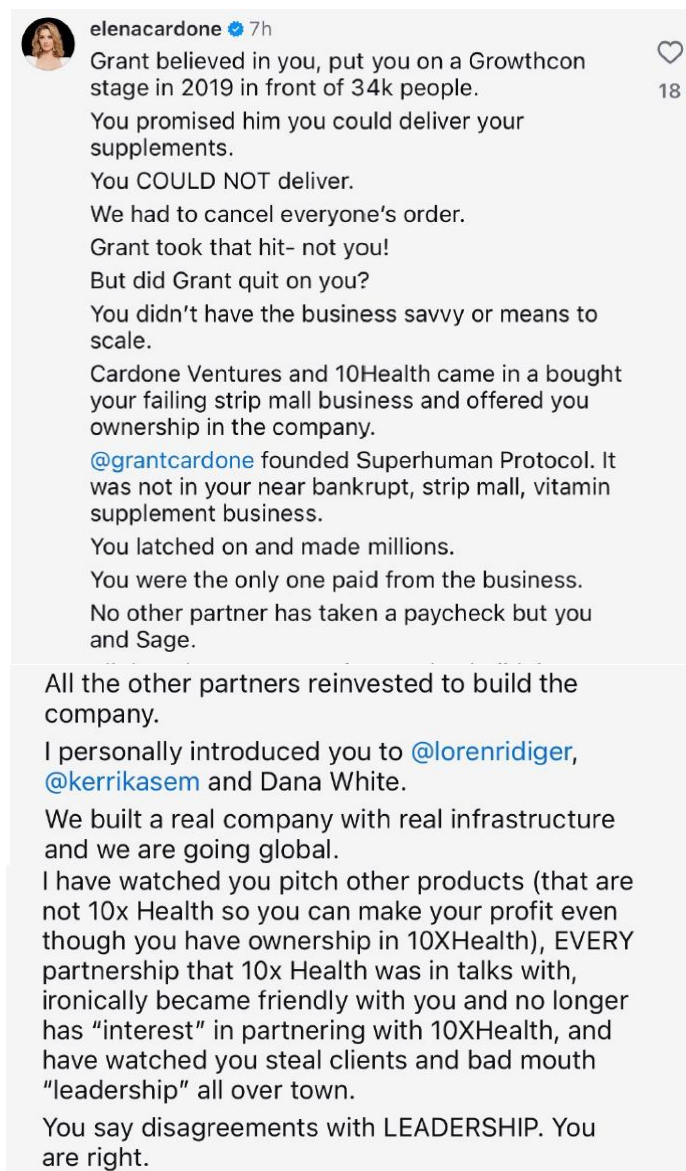


### III. Elena Cardone's Defamatory Instagram Comment.

37. Brecka and Workinger believed that the Instagram Post was the end of the matter, but Mrs. Cardone had other ideas—to take the fight to Brecka.

38. Brecka's Instagram account, @garybrecka, has over 2.2 million followers. Social media is the lifeblood of Brecka's business.

39. Elena Cardone took it upon herself to reply to the Brecka Post and to Brecka and Workinger's millions of cumulative followers (the "Instagram Comment"):





You started, "Ultimate Human"  
So you didn't have to wear 10XHealth anymore.  
The fact that MOST people that know you, have NO idea that you have partnership with my husband @Grantcardone is shocking to me Gary.  
I always treated you with respect, never spoke ill will of you, introduced you to your first stages, to the biggest names in the world but I can not tolerate the level of disappointment and betrayal I feel for you as a partner.  
I've been silent and gracious but while we are all being "transparent"  
So all of those who would "follow you anywhere"....  
Eventually, truth and transparency reveals itself.  
Onwards and upwards 🙏

40. Mrs. Cardone's Instagram Comment was replete with blatant falsities about Brecka and Workinger, including concerning their tenures at 10X Health, that she either knew were false when made and/or were made with a reckless disregard of the truth.

41. As just a few examples, the Instagram Comment falsely stated that Brecka was solely responsible for cancelled supplement orders in 2019, that Streamline was "failing" and "near bankrupt," that Brecka and Workinger were the "only one[s]" paid from 10X Health's business, that Mr. Cardone "founded Superhuman Protocol," that "[a]ll the other partners reinvested to build" 10X Health, that she introduced Brecka to various influential persons, that "MOST people" that Brecka knew were unfamiliar with his 10X Health partnership, and that Brecka stole clients and prospective partnerships from 10X Health.

42. Shockingly, Mrs. Cardone claimed in the Instagram Comment that she had always "treated [Brecka] with respect," forgetting the Instagram Post she had made just days prior.

43. Mrs. Cardone published the Instagram Comment with the express purpose of injuring Brecka's and Workinger's post-10X Health careers and/or to subject them to hatred, distrust, ridicule, contempt, or disgrace.

44. As a result of the Instagram Comment and Instagram Post, Brecka and Worker suffered actual harm, including reputational harm, humiliation, mental anguish, and suffering.

45. All conditions precedent to the filing of this action have occurred, have been complied with, or have been waived.

46. Plaintiff has engaged the law firm of Berger Singerman LLP to prosecute this action and is obligated to pay the firm its reasonable attorney's fees and costs.

**COUNT I**  
**DEFAMATION *PER SE***  
**(Brecka Against Mrs. Cardone)**

47. Plaintiffs repeat and incorporate paragraphs 1 through 46, as if fully stated herein.

48. Mrs. Cardone has defamed Brecka.

49. In or around November of 2024, Mrs. Cardone published the Instagram Post, to her hundreds of thousands of Instagram followers, and the Instagram Comment, to Brecka's over two million Instagram followers.

50. Mrs. Cardone published the Instagram Comment and/or Instagram Post knowing they were false or with reckless disregard to their falsity.

51. The Instagram Comment and/or Instagram Post were defamatory *per se* at the time of publication because they falsely tended to injure Brecka's profession and/or tended to subject Brecka to hatred, distrust, ridicule, contempt, or disgrace.

52. The Instagram Post also was defamatory *per se* because it falsely charged Brecka with having committed infamous crimes.

53. Mrs. Cardone acted with express malice in publishing the Instagram Comment and/or Instagram Post because Mrs. Cardone's primary motive in publishing them was to injure Brecka.

54. As a direct and proximate result of Mrs. Cardone's defamatory acts, Brecka suffered actual, reputational, emotional, and special damages.

55. Brecka's damages include, but are not limited to, damages based on mental anguish, emotional distress, public humiliation, financial loss, diminished earning capacity, loss of business opportunities, and out-of-pocket expenses.

56. Brecka will seek leave of Court for entitlement to punitive damages.

**WHEREFORE**, Plaintiff Gary Brecka demands judgment for damages in excess of this Court's jurisdiction against Defendant Elena Cardone for damages of \$100,000,000.00 or in an amount that will be established at trial, pre- and post-judgment interest as may be available under applicable law, costs of this action, and such other and further relief as this Court deems just and proper.

**COUNT II**  
**DEFAMATION**  
**(Brecka and Workinger Against Mrs. Cardone)**

57. Plaintiffs repeat and incorporate paragraphs 1 through 46, as if fully stated herein.

58. Mrs. Cardone has directly and/or by implication defamed Brecka and Workinger.

59. In or around November of 2024, Mrs. Cardone published the Instagram Post, to her hundreds of thousands of Instagram followers, and the Instagram Comment, to Brecka's and Workinger's over two million Instagram followers.

60. Mrs. Cardone published the Instagram Comment and/or Instagram Post knowing they were false or with reckless disregard to their falsity.

61. The Instagram Comment was false when published because it contained literal falsities concerning Brecka and Workinger, their relationships with Mrs. Cardone, Streamline, and

their tenures at 10X Health, and taken in totality, falsely suggested, among other things, that Brecka's and Workinger's successes were not legitimate and/or were attributable to Mrs. Cardone.

62. The Instagram Post was false when published because it directly or by implication suggested that Brecka had committed infamous crimes or was involved in nefarious or deviant activities.

63. Mrs. Cardone acted with express malice in publishing the Instagram Comment and/or Instagram Post because Mrs. Cardone's primary motive in publishing them was to injure Brecka and Workinger.

64. As a direct and proximate result of Mrs. Cardone's defamatory acts, Brecka and Workinger suffered actual, reputational, and emotional, and special damages.

65. Brecka's and Workinger's damages include, but are not limited to, damages based on mental anguish, emotional distress, public humiliation, financial loss, diminished earning capacity, loss of business opportunities, and out-of-pocket expenses.

66. Brecka and Workinger will seek leave of Court for entitlement to punitive damages.

**WHEREFORE**, Plaintiffs Gary Brecka and Sage Workinger demand judgment for damages in excess of this Court's jurisdiction against Defendant Elena Cardone for damages of \$100,000,000.00 or in an amount that will be established at trial, pre- and post-judgment interest as may be available under applicable law, costs of this action, and such other and further relief as this Court deems just and proper.

Dated: December 26, 2024

Respectfully submitted,

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